



STATE OF NEW YORK  
OFFICE OF THE ATTORNEY GENERAL

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Attorney General

CRIMINAL DIVISION  
Federal Habeas Corpus Section

October 24, 2007

Via Electronic Filing

Honorable Gustave J. DiBianco  
United States Magistrate Judge  
Northern District of New York  
Federal Building and United States Courthouse  
P.O. Box 7396  
Syracuse, New York 13261-7396

Re: Richins v. LaClair  
9:07-CV-0802 (NAM)(GJD)

Your Honor:

I represent the respondent, Darwin LaClair, in the above-referenced habeas corpus proceeding. I write respectfully to request a 60-day extension of time, from October 28, 2007 to December 27, 2007, within which to respond to the petition.

My request is primarily due to work volume, caused by staffing shortages that this unit has been experiencing since this office began its administrative transition in January. Moreover, over the summer, I've had to respond to a number of unusually lengthy petitions. These cases all involved protracted and confusing post-conviction proceedings, and the time taken to respond to these petitions compounded my work backlog. Moreover, I received the state court record in this matter just this week and thus could not earlier begin to draft the petition. However, because I have other habeas petitions to respond to and many of those due dates have been extended, I cannot start this response ahead of other responses that have been due for longer periods of time.

This is my first extension request in this case. I have not obtained petitioner's position on this request, as he is incarcerated and proceeding pro se. If my extension request is granted, I will make every effort to file and serve the response prior to December 27<sup>th</sup>.

Thank you very much for your consideration.

Respectfully submitted,

/s/

Lisa Fleischmann, Bar Roll # 513613  
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Federal Habeas Corpus Unit  
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cc: Trover Richins, 03-A-5981  
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